

# Exhibit 39:

## K.N. Declaration

**DECLARATION OF K.N.**

1. I am a current registrant on the Michigan Sex Offender Registry. I pled no contest to CSC-2 in 2015. I was sentenced to 5-15 years in prison of which I served just under five. Part of the reason I was released on the early side is because I took two assessments where I was determined to be at a very low risk for re-offending. Nevertheless, I am a tier-III registrant and am currently required to register for life. Lifelong registration was mandatory for the crime I pled to (as it is for most sexual offenses).

2. I am a Black, LGBT woman. At the time of my offense, I had not fully transitioned yet, but I always knew I was female. Black, trans women already face disproportionately higher rates of violence and harassment. Being on the registry has substantially increased this risk for me.

3. I was released from prison in April 2020. At that time, I was still going through the process to legally change my name and gender. As soon as these changes were legal, I immediately contacted the Michigan State Police, and even the Michigan Department of Corrections via my parole agent and the local police, to update my information on the registry. But, no immediate changes were made to my name. For at least a year, my birth name was the primary name on my page, with my legal name listed as an “alias.” While my name has finally been changed, my birth name is still listed as an alias. That name is very masculine, so when people look me

up on the internet, they learn two things about me: that I have transitioned and that I am on the sex offender registry.

4. This has happened to me most often in the employment context. I often fly under the radar at new jobs because I am a good worker and people cannot tell that I transitioned. Problems always arise, however, after someone searches my name and finds out that I am on the registry, which also exposes that I am trans. Co-workers then begin to harass me, which I immediately report to management. This harassment takes all forms: from general discrimination to sexual harassment and physical threats. Management never puts a stop to it. I have had to turn to the EEOC and currently have four open investigations.

5. One of my worst experiences happened after the owner of a restaurant I was working at, who knew about my registry status, began making sexual advances towards me. I rebuffed him. In retaliation, he told all my co-workers about my registry status. Co-workers that I had been friendly with immediately started treating me differently; women would run away from me at work. After many months of tension, the owner I rebuffed end up attacking me and hit me in the head with a large container at work. As I stumbled out of the restaurant to try to find help, I heard him brag to the rest of my co-workers about how “freeing” hitting me felt. One of the other restaurant owners ended up taking me to the hospital. When I told her what happened, she immediately began to defend him.

6. I reported this attack to the police, but they refused to investigate. They told me that there was not enough evidence, despite the fact that I had recordings of the harassment, including where the owner talked about how good it felt to hit me. I believe they refused to pursue the case because they figured a jury would not sympathize with someone on the registry.

7. These employment issues also have a financial impact. Because it takes a while to recover from attacks and feel safe working again, I have had a few gaps in my employment. This makes it hard to pay bills.

8. Being on the registry, and the experiences I've had because of it, make it hard to form and maintain relationships. I was already ostracized from most of my family because of my transition. I am afraid to interact with new people because once they find out about the registry, they look at me differently and think I am dangerous. I am never given the chance to show them that I am not a danger to them or anyone else. I have stopped engaging with people like I want to, because I'd rather avoid the pain of losing them once they learn about the registry.

9. I feel like I am being punished again, for the same crime that I served time for and was on parole for. I am not a threat to anyone. My victim's family has forgiven me and told me they have moved on. Still, I am forced to remain on the registry for the rest of my life.

10. My husband and my mom have been my biggest supporters since I was released. My husband's family have also been very accepting. I regularly attend therapy and go to events put on by Michigan Citizens for Justice. I hope to one day take a larger role in organizations like Michigan Citizens for Justice and Trans Sisters of Color, to help people in similar positions.

I certify under penalty of perjury that the following statement is true and correct pursuant to 28 U.S.C. § 1746.

Dated: March 15, 2023

K.N.

(name on file with Plaintiffs' counsel)